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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,400	04/17/2000	Wataru Domon	ND-342US	1415
21254	7590	10/19/2004	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			PIZARRO, RICARDO M	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/551,400

Applicant(s)

DOMON, WATARU

Examiner

Ricardo Pizarro

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☒ Claim(s) 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Finality of previous Final action dated 4/29/04 is hereby withdrawn.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-13, 15, 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 2, 15, 17 and 19 recite the IEEE 1394 . It is unclear what year the recited standard is referring to. Rejection can be overcome by providing a copy of said standard or by a statement by applicant indicating year the recited standard is referring to.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over James.

US patent No. 6,389,547 (James et al)discloses a Method to synchronize a bus bridge to a master clock comprising a network bus bridge node , comprising a plurality of portals (Fig. 4, prime portal, secondary portal and alpha portals, col 4 lines 48-57) and a role decision module that determines a timing role for each said portal and sets each said portal up in accordance with said determined role (Synchronization method of Fig. 11, col 8 lines 54- 60) as in claim 14; said node comprises an IEEE 1394 standard bus interface (col 2 lines 48-49), as in claim 15; said timing role comprises at least a network cycle portal (i.e Prime portal 504 in Fig. 4), and a dependent portal (i.e. alpha portals in Fig. 4), as in claim 16.

A network comprising a plurality of IEEE 1394 buses and at least one bridge to interconnect said buses into a single network wherein each of said at least one bridge (IEEE 1394 network topology shown in Fig. 4 , col 4 lines 47-58) comprises a plurality of portals (prime portal, secondary portal and alpha portals, col 4 lines 48-57) and a role decision module that determines a timing role for each of said portal and sets each said portal up in accordance with said role module (Synchronization method of Fig. 11, col 8 lines 54- 60), as in claim 17; said timing role comprises at least a network cycle portal (i.e Prime portal 504 in Fig. 4), and a dependent portal (i.e. alpha portals in Fig. 4), as in claim 18.

A method of setting up a network comprising a plurality of IEEE 1394 buses (IEEE 1394 network topology shown in Fig. 4 , col 4 lines 47-58) and at least one bridge to interconnect said plurality of buses into a single network comprising for each of said at least one bridge exercising a timing role decision module (Synchronization method of Fig. 11, col 8 lines 54- 60) to determine a timing role for each portal (plurality of portals in Fig. 4) in said bridge and setting up each said portal in said at least one bridge in accordance with a determination

from said timing role decision module (method in Fig.11 determines synchronization for bus bridge, col 8 lines 54-57), as in claim 19; said timing role comprising at least a network cycle master portal (i.e. prime Portal 504 in Fig. 4), a dependent portal (alpha portals in Fig. 4) as in claim 20.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention that although James did not specifically name a role decision module said function would have been performed by the disclosed synchronization method with the motivation of obtaining a method for synchronizing a bus bridge to a master clock under the 1394 IEEE standards for synchronization of audio, video, and audio/video interconnect systems

Allowable Subject Matter

5. Claims 1-13 are allowed.

Conclusion

6. Applicant's arguments filed on 8/2/04 have been fully considered but they are not persuasive. Applicant argues that James fails to disclose a role decision module. Examiner disagrees since James discloses a Synchronization method (Fig. 8, col 8 lines 54-60) that performs that role .

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306

(for formal communications intended for entry, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 220 South 20th Street, Crystal Plaza Two, Lobby, Room 1B03, Arlington, Va 22202 (Customer Window).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ricardo Pizarro** whose telephone number is (571) 272-3077. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM. The fax number for this Group is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kenneth Vanderpuye** can be reached on (571) 272-3078.

10/14/04

Ricardo M. Pizarro

A handwritten signature in black ink, appearing to read "Ricardo M. Pizarro", is written over a horizontal line. The signature is stylized with a large, looped initial "R" and a long, sweeping horizontal stroke at the end.